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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,604	03/01/2004	Robert W. Johnson JR.	9060-221	9585
20792	7590	11/03/2006		
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EXAMINER				
DEBERADINIS, ROBERT L				
ART UNIT		PAPER NUMBER		
2836				

DATE MAILED: 11/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/790,604

Applicant(s)

JOHNSON ET AL.

Examiner

Robert DeBeradinis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>8/23/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The reply filed 8/23/06 consists of remarks related to rejection of claims.

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6,8-11,13,14 are rejected under 35 U.S.C. 102(e) as being anticipated by PERIRA 6,826,036.

PERIRA discloses a modular power distribution system for use in computer equipment racks includes controller 120 configured to facilitate a number of remote monitoring and/or remote management or operation functions wherein such remote management and monitoring functions may include **load segment control** (col. 6, lines 57-68, col. 7, col. 8). The Applicant's claimed indicators and his claimed configuration

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for the indicators are inherent to controller 120 to perform its *load segment control* functions.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7,17-22,24-31,33-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over PEREIRA 6,826,036 in view of RASMUSSEN 200301121689.

Regarding claims

PEREIRA discloses a modular power distribution system for use in computer equipment racks. The modular controller unit 120 performs remote monitoring and/or remote management functions that include load segment control (col. 6, lines 57-68, col. 7, line 59). It is obvious that the remote monitoring would include indicators to monitor the segments.

PEREIRA does not disclose an uninterruptible power supply.

RASMUSSEN discloses a power distribution rack and uninterruptible power supply rack (abstract).

It would have been obvious to one having ordinary skill in the art at the time of this invention to have modified the modular power distribution system for use in

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computer equipment racks to include the uninterruptible power supply rack to provide uninterruptible power to the load segments.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over PEREIRA 6,826,036 in view of ROWAN 4,884,809.

PEREIRA discloses the apparatus of claim 10.

PEREIRA does not disclose wherein the at least one of the segment loading indicators is operative to provide respective color displays for respective load levels.

ROWAN teaches color diodes displaying the intensity of a function with the color of the diode illuminated.

It would have been obvious to one having ordinary skill in the art at the time of this invention to have modified the control unit 120 visual display to include the color diode display, to enhance the visual display of data.

Claims 15,16,23,32 are rejected under 35 U.S.C. 103(a) as being unpatentable over PEREIRA 6,826,036 in view of RASMUSSEN 20030121689 in further view of ROWAN 4,884,809.

PEREIRA in view of RASMUSSEN does not disclose wherein the at least one of the segment loading indicators is operative to provide respective color displays for respective load levels.

ROWAN teaches color diodes displaying the intensity of a function with the color of the diode illuminated.

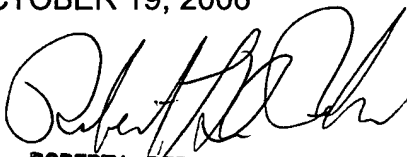
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It would have been obvious to one having ordinary skill in the art at the time of this invention to have modified the control unit 120 visual display to include the color diode display, to enhance the visual display of data.

Any inquiry concerning this communication should be directed to Robert L. DeBeradinis whose number is (571) 272-2049. The Examiner can normally be reached Monday-Friday from 8:30 am to 5:00 pm. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Brian Sircus, can be reached on (571) 272-2058. The Fax phone number for this Group is (703) 872-9306.

RLD

OCTOBER 19, 2006



ROBERT L. DEBERADINIS
PRIMARY EXAMINER